



**GCE A level**

1254/03



S16-1254-03

**LAW – LA4**

**UNIT 4: Understanding Law in Context:**

**Freedom, the State and the Individual**

**OPTION 3: Freedom of the Individual and Protection of Human Rights**

A.M. FRIDAY, 24 June 2016

2 hours 30 minutes

### **ADDITIONAL MATERIALS**

In addition to this examination paper, you will need a 12 page answer book.

### **INSTRUCTIONS TO CANDIDATES**

Use black ink or black ball-point pen.

Answer **two** questions from Section A and **one** question from Section B.

Write your answers in the separate answer book provided.

### **INFORMATION FOR CANDIDATES**

Each question carries 25 marks.

The number of marks is given in brackets at the end of each question or part-question.

You are reminded that assessment will take into account the quality of written communication used in your answers.

***You are reminded that this paper contains a synoptic element in Section B and will test understanding of the connections between the different elements of the subject.***

**Option 3: Freedom of the Individual and Protection of Human Rights**

**SECTION A**

*Answer two questions from this section.*

1. “The Equality Act 2010 protects against all forms of unjustifiable discrimination.” Discuss. [25]
  
2. Consider whether the protection of human rights and civil liberties within the United Kingdom would be strengthened by the introduction of a Bill of Rights. [25]
  
3. To what extent are the powers of the police to conduct secret surveillance balanced by adequate safeguards to protect individual privacy? [25]
  
4. To what extent does the law relating to contempt of court amount to an unjustifiable restriction upon the right to freedom of expression? [25]

**SECTION B**

*Answer one question from this section.*

5. Article 9 covers the sphere of private, personal beliefs and religious creeds. The European Court of Human Rights emphasizes the democratic importance of an open forum of beliefs and opinions; atheists and agnostics may therefore claim the protection of this right.
- (a) Explain how freedom of religion is protected in the law of England and Wales. [11]
- (b) Evaluate the ways in which judges can avoid awkward precedents. [14]
6. Following the passing of the Human Rights Act 1998, judges are required to interpret statutes compatibly with human rights. Lord Steyn stated that “the interpretative obligation under section 3 of the 1998 Act is a strong one. It applies even if there is no ambiguity in the language in the sense of the language being capable of two different meanings.” He further added that it may be necessary under section 3 to “adopt an interpretation which linguistically may appear strained”.
- (a) Explain the scope of the Human Rights Act 1998. [11]
- (b) Evaluate the ways in which the Human Rights Act 1998 have impacted upon statutory interpretation. [14]

**END OF PAPER**